

Customer No.: 31561
Application No.: 10707,666
Docket No.: 12057-US-PA

REMARKS

Present Status of the Application

The Office Action rejected claims 1-9 and allowed claims 10-15. Specifically, the Office Action rejected claims 1-6 under 35 U.S.C. 103(a), as being unpatentable over Deffendall et al. (US. 4,337,456) in view of Eng, Jr. et al (US 5,321,403). The Office Action also rejected claims 7-9 under 35 U.S.C. 112, second paragraph. Applicants have amended claims 1, 7 and 9 to improve clarity. Further, applicants have cancelled claims 2-6 and 8. Amendments made in claim 1 can be found either in FIG. 2 or paragraphs [0041]-[0048] in the specification, and therefore no new matter is added. After entry of the foregoing amendments, claims 1, 7, and 9-15 remain pending in the present application. Applicant thanks for the allowance of claims 10-15 and respectfully requests reconsideration of claims 1, 7 and 9.

Discussion of Office Action Rejections

The Office Action rejected claims 7 and 8 (and 9) under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Customer No.: 31561
Application No.: 10707,666
Docket No.: 12057-US-PA

To overcome the 35 U.S.C. 112's rejection, Applicant has amended claim 7 and cancelled claim 8 to render the rejection moot. Reconsideration of the rejection is respectfully requested.

The Office Action rejected claims 1 under 35 U.S.C. 103(a), as being unpatentable over Deffendall in view of Eng, Jr. Applicants respectfully traverse the rejections for at least the reasons set forth below.

Those with ordinary skill cannot achieve the technique feature of "... the hysteresis logic updates the output value comparing a newly converted value during the current measurement cycle and a previous value converted in a previous measurement cycle" as claimed in claim 1 according to Deffendall in view of Eng, Jr. More specifically, although the Office Action asserted that the offset cancellation logic, hysteresis logic, control logic, and data counter are embodied in microprocessor, the Applicants cannot find related descriptions therein. Further, Eng, Jr. did not disclose the above mentioned feature, either. Since neither Deffendall nor Eng, Jr. taught the present invention, those with ordinary skill cannot obtain the above mentioned technique from Deffendall in view of Eng, Jr.

For at least the above reasons, claim 1 is patentable over Deffendall in view of Eng, Jr.

For at least the same reasons, claims 7 and 9 are patentable over Deffendall in view of Eng, Jr. as a matter of law.

Page 9 of 11

Customer No.: 31561
Application No.: 10707,666
Docket No.: 12057-US-PA

For at least the foregoing reasons, Applicant respectfully submits that independent claim 1 is patentably defined over the prior art references, and should be allowed. For at least the same reasons, dependent claims 7 and 9 patentably define over the prior art as well.

Customer No.: 31561
Application No.: 10707,666
Docket No.: 12057-US-PA

CONCLUSION

Applicant thanks for the allowance of claims 10-15. Further, for at least the foregoing reasons, it is believed that the other pending claims 1, 7 and 9 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Date :

Dec. 9, 2004

Respectfully submitted,

Belinda Lee

Belinda Lee

Registration No.: 46,863

Jianq Chyun Intellectual Property Office
7th Floor-1, No. 100
Roosevelt Road, Section 2
Taipei, 100
Taiwan
Tel: 011-886-2-2369-2800
Fax: 011-886-2-2369-7233
Email: belinda@jcipgroup.com.tw
Usa@jcipgroup.com.tw